

NOV 03 2003

PTO/SB/30 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/524,747
Filing Date	March 15, 2000
First Named Inventor	Reiner
Group Art Unit	1623
Examiner Name	Howard V. Owens, Jr.
Attorney Docket Number	622-39

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

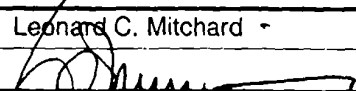
- a. ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiency in the fees filed, or credit any overpayments, to Deposit Account No. 14-1140
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 11/04/2003 RHARIS1 00000016 09524747
- iii. ☐ Other 01 EC:1801 770.00 DP
- b. ☒ Check in the amount of \$ 770.00 enclosed
- c. ☐ Payment by credit card (For PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Leonard C. Mitchard	Registration No. (Attorney/Agent)	29,009
Signature		Date	November 3, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	
Signature	Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 622-39

C# M#

REINER et al

Serial No. 09/524,747

Group Art Unit: 1623

Examiner: Howard V. Owens, Jr.

Filed: March 15, 2000

Date: November 3, 2003

Title: PHARMACEUTICAL COMPOSITIONS BASED ON DICLOFENAC

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment **9** minus highest number  
previously paid for **20** (at least 20) = **0** x \$ **18.00** \$ **0.00**

Independent claims after amendment **1** minus highest number  
previously paid for **3** (at least 3) = **0** x \$ **84.00** \$ **0.00**

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ **0.00**

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ **420.00**

Terminal disclaimer enclosed, add \$ 110.00 \$ **0.00**

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ **0.00**

☐ Please enter the previously unentered , filed

☐ Submission attached

**Subtotal** \$ **420.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ **0.00**

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ **0.00**

Assignment Recording Fee (\$40.00) \$ **0.00**

Other: RCE **770.00**

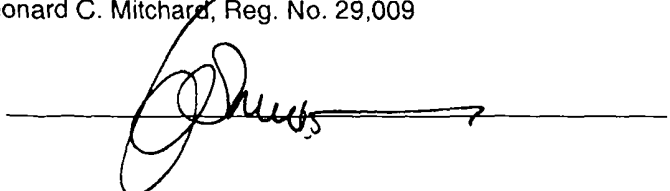
**TOTAL FEE ENCLOSED \$ 1190.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON &amp; VANDERHYE P.C.

By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

REINER et al

Atty. Ref.: 622-39; Confirmation No. 8132

Appl. No. 09/524,747

Group: 1623

Filed: March 15, 2000

Examiner: Howard V. Owens, Jr.

For: PHARMACEUTICAL COMPOSITIONS BASED ON DICLOFENAC

\* \* \* \* \*

November 3, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

Responsive to the Official Action dated January 2, 2003 (for which petition is hereby made for a one month extension of time, and for which an RCE is submitted herewith), please amend the above-identified application as follows: